

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

Denise Carlon, Esquire
KML LAW GROUP, P.C.
701 Market Street, Suite 5000
Philadelphia, PA 19106
U.S. Bank National Association, as Trustee, for
Structured Asset Mortgage Investments II Inc., Prime
Mortgage Trust, Certificates, Series 2005-5

In Re:
Gary Heffley

DEBTOR(S),



Order Filed on April 4, 2023
by Clerk
U.S. Bankruptcy Court
District of New Jersey

Case No: 22-19014 KCF

Chapter: 7

Hearing Date: April 4, 2023

Judge: Kathryn C. Ferguson

ORDER VACATING STAY

The relief set forth on the following page is hereby ordered **ORDERED**.

DATED: April 4, 2023


Honorable Kathryn C. Ferguson
United States Bankruptcy Judge

Upon the motion of U.S. Bank National Association, as Trustee, for Structured Asset Mortgage Investments II Inc., Prime Mortgage Trust, Certificates, Series 2005-5, under Bankruptcy Code section 362(a) for relief from the automatic stay as to certain property as hereinafter set forth, and for cause shown, it is

ORDERED that the automatic stay is vacated to permit the movant, to institute or resume and prosecute to conclusion one or more actions in the court(s) of appropriate jurisdiction to pursue the movant's rights in the following:

☒ Real Property More Fully Described as:

Land and premises commonly known as 260 Heritage Drive, Brick NJ 08723

☐ Personal Property More Fully Describes as:

It is further ORDERED that the movant, its successors or assignees, may proceed with its rights and remedies under the terms of the subject Mortgage and pursue its State Court remedies including, but not limited to, taking the Property to Sheriff's Sale, in addition to potentially pursuing other loss mitigation alternatives, including, but not limited to, a loan modification, short sale or deed-in-lieu foreclosure. Additionally, any purchaser of the Property at Sheriff's Sale (or purchaser's assignee) may take any legal action for enforcement of its right to possession of the Property.

It is further ORDERED that the movant may join the debtor and any trustee appointed in this case as defendants in its action(s) irrespective of any conversion to any other chapter of the Bankruptcy Code.

The movant shall serve this order on the debtor, any trustee and any other party who entered an appearance on the motion.

rev. 7/12/16